# *Barber-Judge Jails Speeders*

*By JOHN B. WALLACE*

BEHIND a barber's chair in the little city of Santa Ana, in Southern California, a stocky Irishman was swinging a towel as he finished off a customer. Into the shop bolted a prominent citizen. He was out of breath and palpably indignant.

"It is getting to be as much as a man's life is worth to try to cross the street in this town," said the citizen. "One of them speeders just missed me by a hair's breadth. He was racing with another machine right through town—going fifty miles an hour if he was going a foot."

"It is certainly something fierce," the barber replied sympathetically. "It ought to be stopped."

"Well, I don't know how you would go about it," said the citizen, climbing into the chair. "More than a hundred were arrested and fined last month but it don't seem to do a bit of good."

"What's a fine to them rich speed hogs? They don't care anything more about a hundred dollars than I do a nickle," commented the barber. "Jail is what them fellows need and believe me," he added, "if I was the judge that is what they would get."

The barber who elucidated these sentiments was J. B. Cox. Today it is Judge J. B. Cox. His fellow-townsmen took him at his word and elected him Justice of the Peace.

The boulevard that connects Los Angeles and San Diego passes through Orange County, of which Santa Ana is the county seat. This beautifully paved road more than a hundred miles in length presents an irresistible temptation to the speeder. But the boulevard is lined for miles with orange and walnut groves which make it impossible to see approaching vehicles at the crossroads. Countless accidents with consequent loss of life resulted. But this was before the advent of Judge Cox. Today Orange County roads are as safe as any in the country. Accidents are almost unknown and arrests for speeding are infrequent.

It was not necessary for Judge Cox to send many persons to prison. His first victims happened to be men of prominence and the newspapers did the rest.

He made his début with a San Diego millionaire, a close relative of one of the most wealthy and influential men in the state, a man who has made and unmade governors and congressmen.

This man was in a hurry. His speedometer was registering sixty-six miles an hour when the motorcycle patrolmen overhauled him. He gave his card to the officers and was about to step on the accelerator. To his surprise and indignation the revelation of his identity did not suffice and he was haled before the new justice.

By the time he had reached the courtroom he had recovered his poise and was inclined to treat the affair as rather a good joke upon himself.

"Well, you sure got me with the goods that time," he remarked breezily as he pulled out a roll of greenbacks calculated to give an alligator indigestion. "How much do I owe you, Judge?"

"Ten days in jail," curtly replied the erstwhile barber.

The millionaire was dumfounded. He threatened, he pleaded, he tried to put up bail pending an appeal but his oratory fell upon deaf ears and he was hustled off to the county jail.

Before the shades of evening had fallen, about half the legal luminaries of the San Diego bar were in Santa Ana. Lawyers to the right of him, attorneys to the left of him volleyed and thundered but Judge Cox held his ground. They kept him up until two a. m. quoting from ponderous tomes but the judge would arouse himself between cat naps long enough to murmur, "Motion denied."

The next day the prisoner's attorneys succeeded in locating a superior court judge who ordered him released upon a writ of habeas corpus. The case was carried to the appellate court but Judge Cox was sustained and the speeder compelled to serve his sentence.

Among those who have suffered from the impartial fiat of the barber-justice are included the mayor of San Francisco, a nationally famous divine and two equally famous motion picture stars. Many of his judgments have been appealed to higher courts but in every instance he has been sustained.

Recently he won a decided victory over the United States Navy. A young naval aviator breezed along the boulevard in excess of fifty miles an hour. He was given a jail sentence. On plea of important government business, Judge Cox allowed him temporary freedom with the understanding that he was to return and serve his sentence.

But when the youth got back to his post at San Diego his superiors refused to surrender him. They gave Judge Cox's demands the hoarse hoot. No country justice was to be allowed to interfere with the men of the United States Navy.

Thereupon Judge Cox took his trusty typewriter in hand and indited an epistle to the Honorable Josephus Daniels. Two weeks later the speeding aviator appeared at the doors of the Santa Ana jail to serve his sentence.

Judge Cox has achieved another distinction since assuming office. Santa Ana is the Gretna Green of Southern California and Judge Cox has probably united more eloping couples during his term of office than any justice in the United States.

JUDGE J. B. COX

He has been known to combine both of his specialties at one stroke. Not long ago a young man was brought before him charged with speeding.

"But Judge," the youth protested, "I was hurrying over here to get married. See, there is my girl sitting out in the car."

"Business before pleasure," responded the justice. "How fast were you coming?"

"The officer said thirty-eight miles," replied the young man dolefully, as visions of jail and the interruption of his romance filled his mind.

The judge gazed reflectively out the window at the young woman seated in the machine. She was indeed not hard to look upon.

"A good many fellows break the speed limits to get married and afterward regret that they had not stuck to a twelve-mile gait," he remarked. "However, in your case I don't know that I altogether blame you. Pass over ten dollars and you can bring her in and get hitched."

# *The "Vermont System" of Handling Prisoners*

FRANK H. TRACY

THE gentleman in the portrait-photograph who is apparently trying to establish a smoke screen between his face and the camera lens is Sheriff Frank H. Tracy, of Montpelier, Washington County, Vermont. He is a figure in a murder trial in the Vermont capital—that is, he is custodian of a man named Long, who was on trial for murder and found guilty. Long is a tall, powerful man, a mechanic, accustomed to using his muscles. Ordinarily he would be termed a "dangerous prisoner," and would make the trip from jail to courtroom with his wrists safely encircled with the "bracelets." But Sheriff Tracy doesn't run things that way.

The sheriff goes to Long's cell. "All ready?" he asks.

"Yes, sheriff," replies Long.

"All right," says the sheriff, throwing the cell door open, "I'll meet you up in the office."

He meets him in the office and side by side, like two little pals together, sheriff and prisoner walk to court. The sheriff may have "irons" somewhere around but no one has seen them in a long, long time.

The other day Boston newspaper reporters were surprised at an outpouring of men and a few women from the jail. It would have looked like a "delivery" if the prisoners hadn't come down the steps laughing and chatting just like ordinary folk. Inquiry developed the fact that there was a band concert on the common several blocks away from the jail. The sheriff went into the iron barred section of his domains.

"Any of you boys want to hear some music?" he asked.

It was a chilly day. Some said they would remain inside the comfortable jail, but most of the prisoners greeted the announcement with joy. The sheriff swung open the cells and the jail doors, and the music hunters sallied forth: no guards, no sign of the "strong arm." They left the jail, split up into little groups, sauntered down the avenue. Some of them attended the concert just like any other spectators, some went on errands for themselves or fellows about the town. There were 23 prisoners who were loosed on the community by Sheriff Tracy's act. At five o'clock that night 23 of them were back in their cells. No, the sheriff didn't attend the concert with his prisoners. He had to go to court with Long.

All of the prisoners serving terms have jobs about the town. Half of what they make goes to the county for their maintenance, the other half goes to the prisoner's family or to himself if he is unmarried. They are let out of their cells in the morning to go to work, and they go alone. They return alone and go to their cell doors and unlock them with keys obtained from the wall of the sheriff's office. They return to their cells and in closing their cell doors lock themselves in.

"Good evening, sheriff," says a prisoner hanging up his key at the end of the day's work.

"Good evening, my boy," says the sheriff.

A Boston newspaperman witnessed a little scene like this the other night.

"Can't they get away if they want to?" he asked.

"Sure," returned the sheriff.

"Well, don't they?" persisted the questioner.

"No, sir," replied the man responsible for the prisoners. "They know that if they do Sheriff Tracy will get 'em."

That seems to be about the only threat in the Sheriff's system of handling prisoners, and for all his humanitarian ideas and his system of "square shooting," a talk with the man convinces that even a hardened criminal would think twice before he "crossed" the big Vermonter.

As for the jail, the prisoners have to keep it as clean and neat as one of Uncle Sam's battleships. They are given a good deal of leeway in decorations, and some of the "termers'" cells look very much like college boys' rooms so far as decorations and pictures and books go. Sheriff Tracy's wife is matron of the woman's section of the jail and the same system is in vogue in handling the women. In fact it is said that the "Vermont system" is a collaboration of Sheriff and Mrs. Tracy.

Way back in 1907 Sheriff Tracy put his system into effect. He realized that the evil of the system then in vogue, and still generally in vogue elsewhere, is that prisoners sentenced for misdemeanors have been kept in idleness with nothing to do but corrupt one another. He saw that prisoners left jail worse men and women than when they entered. He saw that for a prisoner to regain his self respect he must be employed at remunerative labor.

He removed the "institutional" smell from the jail, and gave the prisoners clean bedding. During the daytime he left all of the cells and corridors unlocked, the only locked door being the one giving egress to the street. He found people willing to employ his prisoners, and he put his plan into effect.

He had his troubles. He was criticised, even villified, according to Dr. W. H. Singerland, who was sent to Vermont by the Russell Sage Foundation to investigate, but he won his point. In 1915 the Vermont legislature passed a law permitting any sheriff in the state to use the same system. Later it was adopted with modifications, but not very marked ones, at the state's prison at Windsor, Vt.

The "Tracy system," perhaps better known as the "Vermont system," is now in effect to a greater or lesser degree in Connecticut, Delaware, Ohio and Wisconsin.

The sheriff in his earlier experiments found opposition from organized labor, so he came to an understanding with the trades unions. The unions will allow no prisoner, not even a unionized man, to work on a union job, although of course he regains his union card on his release, and the sheriff and his prisoners stick to ununionized forms of employment, while the sheriff gets his men as good jobs at as good wages as he can.

The Vermont plan takes the burden of caring for the prisoners off the taxpayers' shoulders; it improves the health and the self-respect of the prisoner, and in most cases it makes him a better man when he leaves jail than when he enters. Parole breakers have been few, and men accused of capital crimes have been held in the easy leash of Sheriff Tracy on honor, or nearly so, strange as that may seem.

The sheriff's indorsers include such men as Hastings H. Hart of the Russell Sage Foundation; Horace F. Graham, who wrote his indorsement when he was governor of Vermont; James M. Boutwell, four times mayor of Montpelier; Municipal Judge Erwin M. Harvey, and a host of others. They like his plan. It works.